

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERNEST FLAGG, as Next Friend of
JONATHAN BOND, a Minor,

Plaintiffs,

v.

CITY OF DETROIT, a municipal corporation;
DETROIT POLICE CHIEF ELLA BULLY-
CUMMINGS; DEPUTY DETROIT POLICE
CHIEF CARA BEST; JOHN DOE POLICE
OFFICERS 1-20; ASST. DEPUTY POLICE
CHIEF HAROLD CURETON; COMMANDER
CRAIG SCHWARTZ; POLICE LT. BILLY
JACKSON; MAYOR KWAME M. KILPATRICK,
CHRISTINE BEATTY, Jointly and Severally,

Defendants.

Case No. 05-CV-74253

District Judge Gerald E. Rosen

Magistrate Judge R. Steven Whalen

STIPULATION

The parties, through their respective counsel, stipulate to entry of the attached Order.

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CHRISTINE BEATTY, Jointly and Severally,

Defendants.

Case No. 05-CV-74253

District Judge Gerald E. Rosen

Magistrate Judge R. Steven Whalen

ORDER

The parties having stipulated and the Court being otherwise fully advised in the premises,
it is hereby

ORDERED that the September 5, 2008 Order [Docket #141] by Magistrate Whalen
regarding the procedure for production of text messages by Non-Party Velocita Wireless, LLC
f/k/a Bell Industries, Inc. d/b/a SkyTel ("SkyTel") is hereby amended; and it is further

ORDERED that section A of the September 5 Order [Docket #141] shall be replaced by
the following:

"On or before **September 12, 2008**, Plaintiff shall serve a Rule 34 Document Request on
Defendant City of Detroit as to incoming or outgoing text messages or other communications,

maintained by SkyTel on behalf of the City of Detroit, that originated from or were received by *any* City of Detroit official or employee on April 30, 2003.

On or before **September 15, 2008**, Defendant City of Detroit shall forward the request to SkyTel, along with its written authorization to release said communications to the Court for *in camera* review.

On or before **September 20, 2008**, SkyTel shall forward three copies of said communications, in CD form, to the chambers of the Honorable Gerald E. Rosen, United States District Judge, Eastern District of Michigan, in a sealed envelope, for distribution to United States Magistrate Judge R. Steven Whalen and United States Magistrate Judge Michael J. Hluchaniuk, who will conduct an *in camera* review.”

Honorable Gerald E. Rosen
United States District Judge

Date: _____